

Message Text

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S E C R E T SECTION 1 OF 3 KINGSTON 0069/1

EXDIS

E.O. 11652: GDS

TAGS: PINT, EMIN, JM

SUBJ: BAUXITE NEGOTIATIONS SITREP 3

SUMMARY: IN A SOMETIMES STORMY FORTY MINUTE INTERVIEW WITH CHARGE, PRIME MINISTER MANLEY LEFT LITTLE DOUBT THAT THE GOJ INTENDS TO GET MORE OUT OF THE BAUXITE INDUSTRY AS A RESULT OF FORTHCOMING NEGOTIATIONS WITH THE COMPANIES. HE REITERATED HIS BELIEF IN THE SANCTITY OF CONTRACTS, BUT STATED CLEARLY THAT THE COMPANIES DID NOT HAVE THE OPTION OF STANDING PAT. HE REAFFIRMED HIS COMMITMENT THAT NATIONALIZATION DOES NOT FORM PART OF THE POLICIES OF HIS GOVT AND SAID FORTHCOMING NEGOTIATIONS DO NOT CONSTITUTE A CHANGE IN THAT POLICY. HE SAID THERE WOULD BE NO CHANGES IN THAT POLICY UNLESS THEY WERE FORCED UPON HIM BY OTHERS. HE ASKED IF EMBASSY COULD TRANSMIT AN INVITATION TO CHIEF EXECUTIVE OFFICERS OF ALUMINUM COMPANIES TO MEET WITH HIM IN JAMAICA IN MID-FEB. CHARGE STATED THAT SO FAR AS HE KNEW COMPANIES WERE PREPARED TO NEGOTIATE IN GOOD FAITH, BUT INDICATED FIRMLY THAT CONFRONTATION TACTICS WERE UNLIKELY TO BE FRUITFUL. END SUMMARY.

1. CHARGE MET WITH PM MANLEY FOR NEARLY FORTY MINUTES TODAY AT THE LATTER'S REQUEST. ALSO PRESENT WERE ROBER MASON, PERSONAL ASST. TO THE PM AND MEMBER OF THE BAUXITE COMMISSION; RICHARD FLETCHER, DIRECTOR OF THE JAMAICA SUGAR INDUSTRY AUTHORITY AND ALSO ONE OF THE PM'S PERSONAL ADVISERS; AND O.K. MELHARD, ANOTHER SPECIAL ADVISER.

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2. PM BEGAN BY SAYING HE WISHED TO CORRECT A FALSE IMPRESSION THAT HAD BEEN CREATED IN THE MINDS OF SOME BY SLOPPY REPORTING OF HIS SPEECH LAST THURSDAY IN WHICH HE ANNOUNCED THAT HS GOVT WOULD SEEK REVISION OF THE BAUXITE CONTRACTS BECAUSE OF THE GREAT

ECONOMIC PRESSURES ON THE COUNTRY. AT ONE POINT IN THE SPEECH HE HAD SAID THAT CONTRACTS MADE IN THE DISTANT PAST UNDER COMPLETELY DIFFERENT CIRCUMSTANCES "HAD BEEN ABROGATED BY HISTORY". HE SAID THAT SOME PEOPLE HAD TAKEN THIS PHRASE TO MEAN THAT HE INTENDED TO ABROGATE THE BAUXITE CONTRACTS AND START OVER, WHILE IN FACT HE MERELY INTENDED IT AS A RHETORICAL DEVICE. HE SAID HE HAD MADE HIS BELIEF IN THE SANCTITY OF CONTRACTS QUITE CLEAR ELSEWHERE IN THE SPEECH. THIS PRINCIPLE FORMED THE FOUNDATION OF HIS LIFE-TIME, AND HE WAS INCAPABLE OF TALKING LIGHTLY OF ABROGATION, HE SAID. ON THE OTHER HAND, HE WANTED TO MAKE CLEAR TO BOTH THE US GOVT AND TO THE BAUXITE INDUSTRY THAT THE COMPANIES DID NOT HAVE THE OPTION OF SIMPLY STANDING PAT ON THEIR CONTRACTS AND REFUSING TO NEGOTIATE. HE OBSERVED THAT THERE DID NOT SEEM TO BE A NAME IN LAW FOR A SITUATION IN WHICH ONE PARTY WAS OBLIGED BY THE OTHER TO NEGOTIATE FEATURES OF A CONTRACT WHILE ABROGATION OF THE CONTRACT WAS NOT INTENDED, BUT THAT WAS THE BEST DESCRIPTION OF THE PRESENT POSITION. (FYI WE NEVER REGARDED MANLEY'S REFERENCE TO THE CONTRACTS HAVING BEEN "ABROGATED BY HISTORY" AS ANY MORE THAN THE KIND OF RHETORICAL DEVICE TO WHICH HE IS MUCH GIVEN, AND HENCE DID NO REPORT IT.)

3. MANLEY THEN EMBARKED ON AN IMPASSIONED AND EVEN VIOLENT STATEMENT DESCRIBING THE CIRCUMSTANCES IN WHICH JAMAICA FINDS ITSELF AS A RESULT OF THE VARIOUS PRESSURED ACTION UPON IT. HE SAID THAT IMPROVING ITS REVENUES FROM THE BAUXITE INDUSTRY WAS NOT ONLY A MATTER OF SIMPLE JUSTICE FOR JAMAICA, IT WAS A MATTER OF SURVIVAL. IT WASN'T JUST BAUXITE, HE ADDED. JAMAICA ALSO HAD TO GET FAR BETTER PRICES FOR ITS OTHER EXPORTS - AND ESPECIALLY SUGAR AND BANANAS - AND INFORMED CHARGE CONFIDENTIALLY THAT HE WAS LEAVING FOR GREAT BRITAIN TOMORROW TO DISCUSS THESE PROBLEMS WITH PRIME MINISTER HEATH. HE SAID THAT THE ENERGY CRISIS WAS AN INCONVENIENCE FOR THE US - PERHAPS A SERIOUS ONE - BUT IT WASN'T A MATTER OF RAW SURVIVAL AS IT WAS IN THE CASE OF JAMAICA.

4. WHEN CHARGE OBSERVED THAT PM'S CONCERN WAS UNDERSTANDABLE, BUT THE THE US AND THE BAUXITE COMPANIES COULD HARDLY BE HELD RESPONSIBLE FOR THE ENERGY CRISIS, MANLEY REPLIED THAT THE ENERGY
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CRISIS WAS THE MOST IMMEDIATE THREAT, BUT THERE WERE THE SOARING PRICES FOR WHEAT, SOYBEANS, AND MANY OTHER NECESSITIES OF LIFE WHICH JAMAICA HAD NO ALTERNATIVE BUT TO IMPORT. HE SAID HE REALIZED THAT THE FUNCTIONING OF THE MARKET WAS NOT A RESULT OF CONSCIOUS DECISION OR POLICY, BUT THE RESULT WAS THAT JAMAICA WAS SLOWLY BEING GROUND INTO DUST BY THE OPERATION OF THE NORTH AMERICAN ECONOMY. HE SAID THAT SO LONG AS HE WAS PM HE WOULD "NOT ALLOW JAMAICA TO BE WHIPPED INTO A CORNER AND ALLOWED TO DIE THERE". HE INSISTED THAT JAMAICA HAD ALWAYS BEEN A CLOSE AND COOPERATIVE FRIEND OF THE US AND DEFENDED ITS INTERESTS. HE ACKNOWLEDGED THAT JAMAICA WAS ASSOCIATED WITH THE COUNTRIES IN THE THIRD WORLD, BUT SAID THAT HE HAD ALWAYS MADE CLEAR IN THE COUNCILS OF THE

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THIRD WORLD THAT HE WAS THERE AS A FRIEND OF AMERICA. HE SAID THAT HE HAD EVEN PUT UP WITH PERSONAL INSULT AND INDIGNITIES WITHOUT COMPLAINT (PRESUMABLY AN OBLIQUE REFERENCE TO AMB DE ROULET). HE SAID THAT DESPITE THIS LONG HISTORY OF COOPERATION AND FRIENDSHIP, HE COULD NOT SEE WHY IT SEEMED TO BE SO HARD TO GET HELP WHEN JAMAICA'S VERY EXISTENCE WAS THREATENED. (THIS LAST REMARK SEEMED TO BE AN EJACULATION OF GENERAL FRUSTRATION RATHER THAN AN ALLUSION TO ANY PARTICULAR PROBLEM OR REQUEST).

5. SHIFTING HIS FIRE TO THE BAUXITE INDUSTRY, MANLEY SAID THAT THE COMPANIES HAD HAD PLENTY OF OPPORTUNITY TO DEMONSTRATE GOOD WILL IF, AS THEY WERE ALWAYS CLAIMING, THEY GENUINELY DESIRED A COOPERATIVE RELATIONSHIP THAT SERVED THE INTERESTS OF BOTH PARTIES. HE SAID HE RECEIVED A LOT OF ASSURANCES IN THE PAST EIGHTEEN MONTHS, BUT PRECIOUS LITTLE ELSE. HE SAID THAT EARLY IN HIS GOVT MEYER MATALON, A FIGURE GREATLY RESPECTED BY HIMSELF AND BY MOST BUSINESSMEN IN JAMAICA INCLUDING THE MANAGERS OF THE BAUXITE COMPANIES, HAD SUGGESTED BOTH TO HIM AND THE COMPANIES THAT, SINCE THERE WERE FEATURES OF THE CONTRACTS WHICH THE COMPANIES THEMSELVES FOUND UNSATISFACTORY, THE GRACEFUL APPROACH MIGHT BE FOR THEM TO SUGGEST THAT THE CONTRACTS BE RE-NEGOTIATED. THIS WOULD HAVE ALLOWED THE GOJ TO TAKE UP THE PARTS OF THE AGREEMENTS OF INTEREST TO IT WITHOUT CAUSING ALL THE FUSS, EMOTION, AND POLITICAL PRESSURES BOUND TO BE ATTENDANT ON NEGOTIATIONS SOUGHT ONLY BY THE GOVT. MANLEY SAID THAT THE COMPANIES HAD NOT EVEN REPLIED TO THIS SUGGESTION. HE SAID THAT MATALON ALSO SUGGESTED THAT IT MIGHT BE POSSIBLE TO SECURE COOPERATION OF THE ALUMINUM COMPANIES IN THE US IN OFF-SETTING THE INFLUENCE OF THE DOMESTIC SUGAR LOBBY IN

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WASHINGTON SINCE SOME OF THE ALUMINUM PRODUCERS ARE LOCATED IN SUGAR-GROWING STATES, BUT THAT NOTHING HAD COME OF THIS EITHER. (IT IS NOT CERTAIN THAT MATALON EVER MADE THESE SUGGESTIONS TO THE COMPANIES AS SERIOUS PROPOSALS - AND INDEED THE SUGAR PROP-

OSAL SEEMS FAR FETCHED TO ANYONE WHO KNOWS HOW WASHINGTON OPERATES, WHICH MATALON DOES - BUT THE IMPORTANT POINT IS THAT THE PM THINKS THAT THESE PROPOSALS WERE MADE, AND WERE IGNORED BY THE COMPANIES.) MANLEY WENT ON TO SAY THAT THE PERFORMANCE OF THE COMPANIES IN THE

AGRICULTURAL FIELD HAD BEEN TOKEN AT BEST, AND IN ADDITION HE WAS INFORMED BY ALCAN THAT THE GOJ COULD NOT EXPECT ANY TAX INCOME THIS YEAR DUE TO THE UNPROFITABILITY OF RECENT OPERATIONS. "TO TOP IT ALL OFF", HE SAID, "I AM NOW INFORMED BY ARTHUR BROWN BANK OF JAMAICA THAT THE US GOVT CLAIMS WE OWE THEM SUBSTANTIAL MONIES BECAUSE OF THE FUNCTIONING OF CURRENT TAX AGREEMENTS. CAN YOU IMAGINE THAT? AT A TIME WHEN I AM FIGHTING FOR THE SURVIVAL OF MY COUNTRY, THE UNITED STATES COMES TO ME AND TELLS ME I OWE IT MONEY*"

6. COOLING OFF SOMEWHAT, MANLEY SAID HE HOPED HE WOULD BE IN A POSITION TO BEGIN NEGOTIATIONS WITH THE COMPANIES ABOUT THE MIDDLE OF FEB AND ASKED IF WE COULD USE OUR CHANNELS OF COMMUNICATION TO PASS A MESSAGE TO THE CHIEF EXECUTIVE OFFICERS OF THE ALUMINUM COMPANIES IN THE US HAVING INTERESTS IN JAMAICA ASKING THEM TO MEET WITH HIM IN JAMAICA AT ABOUT THAT TIME. HE HAD OTHER MEANS OF CONTACTING THEM, HE SAID, BUT HE FEARED A LEAK MIGHT CAUSE ALL KINDS OF RUMOUR AND SPECULATION THAT WOULD NOT BE BENEFICIAL AT THIS TIME. HE SAID HE DID NOT WISH TO DEAL WITH LOCAL MANAGERS, WHO HAD LITTLE INFLUENCE ON COMPANY POLICY, OR, AT LEAST INITIALLY, WITH OFFICERS AT THE VICE-PRESIDENTIAL LEVEL. HE THEN ASKED CHARGE IF HE DID NOT THINK SUCH A MEETING WOULD BE A CONSTRUCTIVE WAY OF GETTING THE NEGOTIATIONS OFF TO A GOOD START?

7. CHARGE HAD PLANNED SIMPLY TO LISTEN DURING THIS INTERVIEW, OR AT MOST ASK CLARIFYING QUESTIONS. GIVEN SOME OF THE PM'S REMARKS AND THE HIGHLY EMOTIONAL TONE OF HIS DELIVERY IT SEEMED WISE TO REFRAIN FROM ALL COMMENT, HOWEVER HE TOLD THE PM THAT, UNDER ORDINARY CIRCUMSTANCES, A MEETING SUCH AS THE PM DESCRIBED MIGHT BE A VERY USEFUL WAY OF BEGINNING A SET OF COMPLEX NEGOTIATIONS.

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TIATIONS. HOWEVER, IF THE PM CHOSE TO ADDRESS SUCH AN ASSEMBLAGE IN THE TERMS IN WHICH HE HAD JUST ADDRESSED THE CHARGE THE AFFECT WAS LIKELY TO BE SHARPLY NEGATIVE IN TERMS OF ACHIEVING JAMAICA'S OWN OBJECTIVES IN THE NEGOTIATIONS. HOWEVER HE WOULD QUERY THE DEPT ON FEASIBILITY OF PASSING SUCH A MESSAGE. CHARGE CONTINUED THAT PM'S UNDERSTANDING OF THE ATTITUDE OF THE COMPANIES DIFFERED SUBSTANTIALLY FROM HIS OWN. HE SAID THAT HE HAD ONLY RECENTLY ARRIVED IN JAMAICA, AND HENCE COULD NOT COMMENT ON THE DETAILED DEVELOPMENT OF RELATIONS BETWEEN THE PM AND THE COMPANIES. HOWEVER HIS OWN CONTACTS WITH THE COMPANIES INDICATED THAT, WITHOUT EXCEPTION, THEY HOPED FOR A LONG-STANDING AND MUTUALLY BENEFICIAL RELATIONSHIP WITH THE GOJ. HE ADDED THAT TWO OF THE LARGER COMPANIES (FYI ALCOA AND KAISER) HAD SPECIFICALLY INFORMED HIM THAT THEY WOULD SIT DOWN AND NEGOTIATE WITH THE GOJ IN GOOD

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FAITH ANY TIME THE GOVT WISHED. CHARGE SAID THE COMPANIES NATURALLY WOULD ENGAGE IN HARD BARGAINING IN DEFENCE OF THEIR INTERESTS, BUT HAD NO DESIRE FOR A CONFRONTATION WITH THE GOJ. PM SAID HE WAS DELIGHTED TO HEAR THAT THIS WAS THE CASE.

8. CHARGE WENT ON TO SAY THAT IN HIS OWN EXPERIENCE OF NEGOTIATIONS THOSE CONDUCTED IN A PRAGMATIC AND RESPONSIBLE MANNER BASED ON ADEQUATE PREPARATION AND FREE OF UNNECESSARY EMOTIONALISM AND RHETORIC USUALLY PROSPERED, WHILE THOSE LACKING THESE QUALITIES WERE APT TO FOUNDER OR WORSE. HE TOLD THE PM HE HOPED THE FORTHCOMING BAUXITE NEGOTIATIONS WOULD BE EXEMPLARY. MANLEY, CONSIDERABLY CALMED, REPLIED THAT THIS WAS HIS INTENTION.

9. CHARGE THEN ASKED WHAT TIME-FRAME PM HAD IN MIND FOR THE NEGOTIATIONS. PM ANSWERED THAT HE HOPED TO GET STARTED IN MID-FEB AND HE EXPECTED THE NEGOTIATIONS WOULD TAKE SEVERAL MONTHS. CHARGE ASKED WHAT MECHANISM WOULD BE USED TO CONDUCT THE NEGOTIATIONS AND WHO WOULD BE IN CHARGE ON THE JAMAICAN SIDE. PM ANSWERED THAT THESE DETAILS HAD NOT BEEN WORKED OUT YET, BUT THAT THE ECONOMIC COUNCIL WOULD BEGIN CONSIDERATION OF THESE PROBLEMS AT ITS NEXT MEETING. CHARGE ASKED IF THE GOJ INTENDED TO CONDUCT NEGOTIATIONS WITH THE BAUXITE COMPANIES COLLECTIVELY, SIMULTANEOUSLY BUT SEPERATELY, OR SERIALY? MASON REPLIED ON PM'S BEHALF THAT GOJ WAS FLEXIBLE ON THIS SCORE. ON BALANCE IT PREFERRED SIMULTANEOUS AND COLLECTIVE NEGOTIATIONS, BUT THE POSITION WAS COMPLICATED BY THE FACT THAT ALCAN WAS CANADIAN WHILE THE REST WERE AMERICAN. IN ADDITION HE UNDERSTOOD THAT CONCERTED ACTION MIGHT EXPOSE THE AMERICAN COMPANIES TO LEGAL ACTION UNDER
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ANTI-TRUST LEGISLATION IN THE US.

10. CHARGE RECALLED THAT PM MANLEY AND OTHER MEMBERS OF HIS GOVT

HAD REPEATEDLY SAID BOTH PUBLICLY AND IN PRIVATE THAT NATIONALIZATION DID NOT FORM ANY PART OF THE POLICIES OF THE PNP GOVT. HE ASKED THE PM IF THIS WAS STILL THE CASE. MANLEY REPLIED "OUR INTENTION TO OPEN NEGOTIATIONS WITH THE BAUXITE COMPANIES DOES NOT CONSTITUTE ANY CHANGE IN THE ANNOUNCED POLICIES OF THE GOVT. WE DO NOT ANTICIPATE MAKING ANY CHANGES AT THE PRESENT TIME, AND WILL NOT MAKE ANY UNLESS WE ARE FORCED TO DO SO BY THE ACTIONS OF OTHERS".

11. CHARGE SAID THAT OF COURSE THE US GOVT WOULD NOT BE A PARTY TO THE FORTHCOMING NEGOTIATIONS, BUT THAT WE DID HAVE AN INTEREST IN THEIR OUTCOME DUE TO THE COVERAGE BY OPIC OF A LARGE SHARE OF US INVESTMENT IN THE BAUXITE INDUSTRY. HE CONTINUED THAT IN OTHER COUNTRIES GOVERNMENTS HAD SOMETIMES RUN INTO DIFFICULTY BY VIRTUE OF INADVERTENTLY TRIGGERING AUTOMATIC FEATURES OF US LAWS OR REGULATIONS WITHOUT BEING FULLY AWARE OF THEIR EXISTENCE OR EFFECT. HE SAID IT WAS ONE THING TO SET OUT ON A GIVEN COURSE FULLY COGNIZANT OF ITS PROBABLE CONSEQUENCES UNDER US LAW, AND QUITE ANOTHER TO UNDERTAKE SUCH A COURSE IN IGNORANCE OF THE PROBABLE CONSEQUENCES. CHARGE OFFERED TO SEEK AN OPINION FROM THE DEPT IF AT ANY TIME PM OR HIS NEGOTIATORS SHOULD BE IN DOUBT AS TO THE PROBABLE EFFECT OF A COURSE OF ACTION THEY HAD IN MIND. THE PM SAID AN ABILITY TO DO THIS WOULD BE VERY HELPFUL IN PREVENTING ACCIDENTS.

12. IN CLOSING CHARGE SAID HE WAS HAPPY TO REPORT THAT THE GENERAL OUTLINE OF OUR ASSISTANCE PROGRAM OVER THE NEXT FOUR OR FIVE YEARS IN WASHINGTON, WAS UNDER REVIEW THIS WEEK AND THAT THE PROSPECTS OF BEING ABLE TO GO AHEAD WITH THE EDUCATION LOAN THIS YEAR WERE GOOD. IN ADDITION, HE SAID WE WERE TAKING A LOOK AT THE POSSIBILITY OF DOING SOMETHING SUBSTANTIAL IN AGRICULTURE IN A YEAR OR TWO. CHARGE EXPRESSED THE HOPE THAT CIRCUMSTANCES WOULD PERMIT US TO CONTINUE THE EXECUTION OF THIS PROGRAM UNDISTURBED. PM EXPRESSED PLEASURE AT HEARING THIS, AND SAID HE WAS SURPRISED THERE WAS SUCH A THING AS GOOD NEWS LEFT IN THE WORLD.

13. COMMENT: WE HAVE NO DOUBT THAT MANLEY "CAME ON STRONG" TO BEGIN WITH AS A DELIBERATE TACTIC TO DEMONSTRATE HIS OWN SERIOUS-
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NESS OF PURPOSE AND PERHAPS ALSO TO "GET THE WIND UP" IN WASHINGTON AND THE INDUSTRY. IT IS EVIDENT THAT HE IS USING THE ENERGY CRISIS AS A TALKING HORSE THAT PERMITS HIM TO TAKE A STRONGER STAND THAN HE MIGHT OTHERWISE HAVE BEEN ABLE TO DO WHILE AT THE SAME TIME CLAIMING THE ACTION WAS FORCED UPON HIM BY CIRCUMSTANCES. ON THE OTHER HAND, ONCE HE GOT THE BIT IN HIS TEETH HE APPARENTLY WENT A GOOD DEAL FARTHER THAN HAD BEEN ORIGINALLY INTENDED OR AGREED IF THE INCREASINGLY WORRIED EXPRESSIONS ON THE FACES OF HIS ADVISERS WERE INDICATIVE. WE HOPE CHARGE'S TACTICS IN DEALING WITH THIS APPROACH DEMONSTRATED THAT CONFRONTATION TACTICS ARE LIKELY TO BE UNFRUITFUL.
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